

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEVIN FRAZIER, et al.,

Plaintiffs,

v.

WIRELESS LIFESTYLE, INC.,

Defendant.

No. C-11-5192 MMC

**ORDER GRANTING DEFENDANT'S  
MOTION TO STAY ACTION PENDING  
RESOLUTION OF MOTION TO  
TRANSFER TO MDL; VACATING  
JANUARY 13, 2012 HEARING**

Before the Court is defendant Wireless Lifestyle, Inc.'s "Motion to Stay Action Pending Resolution of Motion to Transfer to MDL," filed November 17, 2011. Plaintiffs Kevin Frazier and DeJesus Libran have filed opposition, to which defendant has replied. Having read and considered the papers submitted in support of and in opposition to the motion, the Court deems the matter suitable for decision on the parties' respective written submissions, VACATES the hearing scheduled for January 13, 2012, and rules as follows.

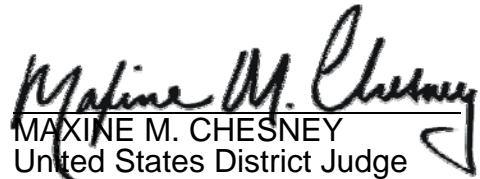
The Judicial Panel on Multidistrict Litigation ("JPML") has scheduled a January 26, 2012 hearing on the motion to transfer filed by defendant. See In re Wireless Lifestyle, Inc., Fair Labor Standards Act and Wage and Hour Litigation, MDL No. 2322, Doc. No. 17. A decision on the matter will in all likelihood be made shortly thereafter, and, consequently, the stay sought by defendant will be of short duration. In light of the anticipated brevity of the stay, and plaintiffs' having not identified any prejudice they are likely to incur if the case

1 is stayed pending the JPML's decision, and because a stay may both conserve judicial  
2 resources and promote consistency in the determination of common issues, the Court finds  
3 a stay of the proceedings herein is appropriate. See Rivers v. Walt Disney Co., 980 F.  
4 Supp. 1358, 1360 (C.D. Cal. 1997) (identifying factors to consider when determining  
5 whether to stay action pending decision by JPML).

6 Accordingly, defendants' motion for a stay is hereby GRANTED.

7 **IT IS SO ORDERED.**

8  
9 Dated: January 9, 2012

  
MAXINE M. CHESNEY  
United States District Judge